

(Adopted August 5, 1983)(Amended March 3, 1989)(Amended October 4, 1991)

RULE 305. FEES FOR ACID DEPOSITION RESEARCH

- (a) Pursuant to the Atmospheric Acidity Protection Act of 1988 (Secs. 39900-39911 of the California Health and Safety Code) and in addition to the Annual Permit Fees based on emissions described in Rule 301(e) of the District Rules and Regulations, each source authorized pursuant to permit to emit 500 tons or more per year of either sulfur oxides or nitrogen oxides or both, shall pay a fee based on the total amount of sulfur oxides and/or nitrogen oxides emitted. For the purposes of this rule, "Authorized Pursuant to Permit to Emit" means the summation of emissions from all equipment at the source as if the equipment is operated continuously at maximum rated capacity, subject to any limiting conditions.
- (b) Such fee shall be imposed on the owner or operator of each source described in paragraph (a) each year. In calculating the fee due, annual emissions of either nitrogen oxides or sulfur oxides of less than 500 tons shall not be counted.
- (c) The fee shall be set, based upon the amount determined by the California Air Resources Board, pursuant to, and for the purposes described in, the Atmospheric Acidity Protection Act of 1988 plus such additional amount necessary to cover the administrative costs on the part of the District in collecting the fee. The fees shall be imposed through December 31, 1993.
- (d) On or about November 1 of each year that this program is in effect, the Executive Officer shall advise each affected source, by certified mail, of the amount of fee due, payable within 60 days. After transmitting the fee to the State Controller and deducting the authorized administrative costs, any excess shall be returned to the source.
- (e) If all emission fees due have not been received within 60 days after the notice to pay fee was certified received, the Executive Officer may take action to revoke all operating permits in accordance with Health and Safety Code Section 42307.
- (f) A Permit to Operate which is revoked for nonpayment of fees pursuant to subsection (e), above, may be reinstated by the permit holder upon payment of such overdue fees and accrued penalties.